

tioner for the growth and life of turkeys, chickens, sheep, hogs, and dogs; effective to increase production; and effective as a cure for roup in poultry, and as a cure for worms in poultry and dogs.

The information alleged that the article was also misbranded in violation of the Insecticide Act of 1910, reported in notice of judgment No. 1578 published under that act. On November 5, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$100 on the count charging violation of the Food and Drugs Act, and \$200 on the counts under the other act.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**27878. Adulteration and misbranding of Odo-Go. U. S. v. Robert G. Branham and William F. Ashby (National Products Co.). Pleas of guilty. Fines, \$250. (F. & D. No. 39476. Sample Nos. 4638-C, 4640-C.)**

The labeling of this product bore false representations regarding its disinfectant, antiseptic, and germicidal properties; and false and fraudulent claims regarding its curative or therapeutic effects.

On October 19, 1937, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Robert G. Branham and William F. Ashby, members of a firm trading as the National Products Co., Fort Worth, Tex., alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about September 19 and 22, 1936, from the State of Texas into the State of Missouri of a number of jars and sample packages of Odo-Go that was adulterated and misbranded. The article was labeled: "Odo-Go \* \* \* National Products Company, Fort Worth, Texas."

Analysis showed that it consisted essentially of sodium carbonate with a small proportion of potassium permanganate. Samples tested at four times the concentration recommended failed to kill *Staphylococcus aureus* in 15 minutes at 37° C.

The article was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, since it was represented to be a disinfectant, antiseptic, and germicide when used as directed; whereas it was not a disinfectant, antiseptic, nor germicide when used as directed.

It was alleged to be misbranded in that the statements, (jar) "Disinfectant, antiseptic, germicide," "Thoroughly dissolve One level teaspoonful of Odo-Go in One gallon of water, more or less in proportion," and "Odo-Go is a \* \* \* germ killer antiseptic," with respect to the product in the jars; and (envelope) "Disinfectant, germicide antiseptic. Thoroughly dissolve One level teaspoonful of Odo-Go in One Gallon of water. \* \* \* Odo-Go is a \* \* \* germ killer, antiseptic," and (circular) "Disinfectant, Germicide, Antiseptic. Diseases and germs are carried in many ways \* \* \* For personal sanitation, use Odo-Go in the rinse and bath waters to kill germs \* \* \* For a germicide, antiseptic \* \* \* mouth wash and throat gargle, use just a small pinch of the Odo-Go powder in a glass of warm or cold water \* \* \* For each woman's personal cleanliness, it is necessary that she have a non-poisonous yet effective and non-injurious antiseptic that will kill germs \* \* \* Odo-Go has all of these qualities and is ideal for hygienic purposes. \* \* \* This product is composed of the best germicide, antiseptic, \* \* \* chemicals known to science, \* \* \* and is a scientific germ killer, antiseptic \* \* \* safe to use for personal \* \* \* purposes," with respect to the samples, were false and misleading in that they represented that the article was a disinfectant, antiseptic, and germicide when used as directed and would kill germs; whereas it was not a disinfectant, antiseptic, nor germicide, when used as directed and would not kill germs.

It was alleged to be misbranded further in that the labeling of the jars bore false and fraudulent representations regarding its effectiveness as a treatment, remedy, and cure for skin eruptions, dandruff, pimples, scalp disorders, sore throat, ulcers and sores, and its effectiveness to help heal and eliminate soreness; and the labeling of the samples bore false and fraudulent representations regarding its effectiveness as a treatment, remedy, and cure for sore throat, ulcerated mouth, sore gums, scalp disorders, pimples, dandruff, and sore feet; and for mange and sore places on livestock and pets. The information charged that the samples were also misbranded, in violation of the Insecticide Act of 1910 reported in notice of judgment no. 1587 published under that act.

On November 5, 1937, the defendants entered pleas of guilty and the court imposed a fine of \$50 against Robert G. Branham and a fine of \$200 against William F. Ashby for violation of both acts.

HARRY L. BROWN, *Acting Secretary of Agriculture.*